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8 Attorney for Theresa Dalton

9 UNITED STATES BANKRUPTCY COURT
10 SOUTHERN DISTRICT OF CALIFORNIA

11 In Re)
12) BANKRUPTCY NO. 19-04878
13 Theresa Dalton,)
14) DEBTOR'S NOTICE OF MOTION AND
15 Debtor.) MOTION TO AVOID LIEN UNDER
16) 11USC §522(f)
17)
18)

19 To the creditor, Becharoff Capital Corporation, by and through their attorney, Brewer &
20 Brewer, and other interested parties:

21 1. Debtor, Theresa Dalton, commenced this case on 8-15-2019, by filing the above-
22 numbered voluntary petition for relief under chapter 7 of title 11, United States Code.

23 2. This motion is filed pursuant to 11 U.S.C. § 522(f) to avoid and cancel a judicial lien
24 held by Becharoff Capital Corporation, on the real property used as the Debtors' primary
25 residence.

3. On or about January 13, 2010, Becharoff Capital Corporation, by and through their
attorney Brewer & Brewer obtained a judicial lien for a non-purchase money security interest on
the real property used as Debtors' residence at 318 Mason Drive, Vista, CA 92084. This judicial
lien is entered of record as follows:

Document Number 2010-0020774, recorded at the San Diego

1 County Recorder's office on January 14, 2010.

2
3 4. The Debtor's interest in the property referred to in the preceding paragraph and
4 encumbered by the lien does not exceed the fair market value of the property and has been
5 claimed as fully exempt in her bankruptcy case.

6 5. The existence of Becharoff Capital Corporation's lien on Debtors' real property
7 impairs exemptions to which the Debtor would be entitled under 11 U.S.C. § 522(b).

8 WHEREFORE, Debtors pray for an Order against [creditor] for the cancellation and
9 avoidance of the judicial liens on their residential real estate, and for such additional or
10 alternative relief as may be just and proper.

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13 Dated: 9-13-2019

Respectfully submitted,
Law Offices of Olga Nazimova

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16 By: /s/ Olga Nazimova
Olga Nazimova, Attorney for Debtor
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